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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KENNETH O'ROURKE, an individual;
CHARLEEN KURR-O'ROURKE, an
individual; and KASSIDY DINKINS, an
individual,

Plaintiff,

v.

ASSURED REAL ESTATE, INC, a
Nevada Corporation; JOSEPH YAKUBIK,
an individual; PHOEBE FRICKE, an
individual; JOSHUA DANA, an individual;
WRITTEN WARFARE INVESTMENTS,
LLC, a Nevada Limited Liability Company;
COLONIAL PROPERTY
MANAGEMENT; TRISH HALL; KIM
VAN HEEL; AND PALM HILLS HOA
BOARD,

Defendants.

Case No. 2:22-cv-00689-RFB-DJA

**STIPULATION AND REQUEST FOR
ORDER CONTINUING SETTLEMENT
CONFERENCE DATE**

WHEREAS:

1. On December 1, 2024, Plaintiff Charlene O'Rourke notified Defendants concerning certain extreme medical problems preventing full participation from Plaintiffs in the December 4, 2024, settlement conference. These medical problems also prevent rescheduling the settlement conference until after December 31, 2024.

2. Based upon these representations, and subject to their future availability, Defendants have stipulated to move the settlement conference date until after December 31,

1 2024.

2 3. Therefore, Parties hereby request that the Court cancel the December 4,
3 2024, settlement conference date and provide potential dates for a continued settlement
4 conference in January – February 2025.

5 4. Plaintiffs have been informed, and agreed, that Defendants Assured real
6 Estate, Inc. and Joseph Yakubik will only be available Tuesday – Thursday of January and
7 February 2025, due to preexisting travel obligations. Plaintiffs have also been informed that
8 counsel for Colonial Property Management, Trish Hall, Kim Van Heel, and Palm Hills HOA
9 Board has a strong preference for February in light of his schedule in January.

10 5. The Parties further agree that the Order for the Limited appearance of Ms.
11 Palmer will stand (ECF No. 88 11/05/24) and that the Minute Order (ECF No. 95 11/27/24) will
12 also stand for the settlement conference's new date.

13 THEREFORE:

14 Defendants Assured Real Estate, Inc., Joseph Yakubik, Phoebe Fricke, Joshua Dana, and
15 Written Warfare Investments, LLC by and through their counsel of record Jarrod L. Rickard,
16 Esq., Plaintiffs Kenneth O'Rourke, Charleen Kurr-O'Rourke and Kassidy Dinkins by and through
17 their limited representation counsel Raelene K. Palmer, Esq., and Defendants Colonial Property
18 Management, Palm Hills Homeowners Association, Trish Hall, and Kim Van Heel by and
19 through their counsel of record Adam J. Breeden, Esq., hereby stipulate and agree that the
20 December 4, 2024, settlement conference be continued to a later mutually-available date in
21 accordance with the restrictions noted above.

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1 DATED this 3rd day of December 2024.

DATED this 3rd day of December 2024.

2 SEMENZA RICKARD LAW

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4 /s/ Jarrod L. Rickard
Jarrod L. Rickard, Esq., Bar No. 10203
5 10161 Park Run Drive, Ste. 150
Las Vegas, Nevada 89145

/s/ Charleen Kurr-O'Rourke
Plaintiff Charleen Kurr-O'Rourke

/s/ Kenneth O'Rourke
Plaintiff Kenneth O'Rourke

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7 *Attorneys for Defendants Assured Real*
8 *Estate, Inc., Joseph Yakubik, Phoebe Fricke,*
Joshua Dana, and Written Warfare
9 *Investments, LLC*

/s/ Cassidy O'Rourke
Plaintiff Cassidy O'Rourke

10 DATED this day 3rd of December 2024.

11 BOYACK ORME & MURDY

12 /s/ Adam Breeden
13 Edward D. Boyack, Esq., Bar No. 5229
Adam J. Breeden, Esq., Bar No. 8768
14 7432 W. Sahara Ave., Suite 101
15 Las Vegas, Nevada 89117

16 *Attorneys for Defendants Colonial Property*
17 *Management, Palm Hills Homeowners*
Association, Trish Hall and Kim Van Heel

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20 **IT IS SO ORDERED** that the parties' stipulation continuing the settlement conference
21 (ECF No. 96) is GRANTED. Accordingly, the settlement conference scheduled for
22 Wednesday, December 4, 2024 is **VACATED** and **RESET** for **February 25, 2025 at**
10:00 a.m. via Zoom video.

23 DATED this 3rd day of December 2024.

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DANIEL J. ALBREGTS
27 UNITED STATES MAGISTRATE JUDGE
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